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Monday
June 18, 1979

Part VI

Department of the Interior

Office of Surface Mining Reclamation and Enforcement

Permanent Regulatory Program; Clearance of Recordkeeping Requirements by General Accounting Office

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[30 CFR Ch. VII]

Surface Mining Reclamation and Enforcement Permanent Regulatory Program

AGENCY: Office of Surface Mining, Reclamation and Enforcement (OSM), U.S. Department of the Interior, Washington, D.C. 20240.

ACTION: Notice to confirm clearance of recordkeeping and reporting requirements.

SUMMARY: This notice confirms clearance by the General Accounting Office (GAO) of permanent regulatory program regulations requiring collection, submission or retention of information issued by the Office of Surface Mining Reclamation and Enforcement (OSM). Of the nearly 300 reporting and/or recordkeeping requirements submitted to GAO for clearance, 228 sections were approved and 65 sections were excluded from the clearance process either because they were exempted under 4 CFR 10.6(c) or were not subject to the Federal Reports Act. Three sections were not cleared due to the wording inconsistency and language of the regulations. These sections will be revised by way of an errata sheet to be published in the **Federal Register** at a later date.

EFFECTIVE DATE: May 7, 1979.

ADDRESSES:

Assistant Director, Management and Budget, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, Washington, D.C. 20240, 202-343-4293.

Assistant Director, Regulatory Reports Review, U.S. General Accounting Office, Room 5106, 441 G Street NW., Washington, D.C. 20548.

FOR FURTHER INFORMATION CONTACT: Joan Shaw, 202-343-5447.

SUPPLEMENTAL INFORMATION: On March 13, 1979, the Secretary of Interior promulgated regulations at Title 30, Code of Federal Regulations, Chapter VII (44 FR 15312-15463), under the Surface Mining Control and Reclamation Act of 1977, Pub. L. 95-87, 30 U.S.C. 1201 *et seq.* Those regulations which required collection, submission or retention of information were promulgated subject only to review and clearance by the GAO pursuant to 44 U.S.C. 3512. The GAO solicited public comments on these regulations by public notice in the **Federal Register** on March 28, 1979 [44 FR 18467].

GAO clearance for each of the regulations listed at 44 FR 18532-18562 was given on May 7, 1979, except for sections 786.21, 805.14(b) and 807.11(a). Accordingly, all of these regulations, except for these three items, are effective as of May 7, 1979. However, once OSM forwards GAO a copy of the **Federal Register** notice revising these three items not cleared, clearance will be given.

GAO excluded from the clearance process the following:

Sections 741.11(a)(1); 743.11(b); 745.15(a); 745.16, 764.11, 764.15(a)(1), (2), (4), (5), and (6); 764.15(b)(1) and (2); 764.15(c); 764.17(a), (b), (c), and (e); 776.14; 786.12; 786.13; 786.14(a), 786.17(a) and (b); 788.15; 788.17; 805.14(a); 807.11(c); 807.11(f); 807.11(g); 808.12; 840.11(a); 840.11(b); 840.11(c); 842.12(a); 842.14; 842.15(a); 842.15(b); 843.11(a)(2); 843.11(b)(2), 843.11(c), 843.11(f); 843.12(a)(2); 843.12(b) and (e); 843.13(c), (d), and (e); 843.14(a), (b), and (d); 843.15(d) and (f); 845.17(a) and (b); 845.18(d); and 845.19(a).

Sections 745.15(a) and 745.16 were not subject to the Federal Reports Act because they were unlikely to apply to 10 or more respondents over the life of the regulations. Other sections listed above were either (1) not subject to the Federal Reports Act because they do not require reporting to the Federal Government or to a regulatory authority or do not impose recordkeeping requirements, or (2) they were exempt from clearance under 4 CFR 10.6(c)(5) or (c)(6) of GAO regulations.

The reporting requirements contained in 30 CFR 700.12(b) and 700.13 have been approved by the U.S. General Accounting Office under number B-190462 (RO589).

The recordkeeping requirements contained in 30 CFR 707.12 has been approved by the U.S. General Accounting Office under number B-190462 (RO590).

The reporting requirement contained in 30 CFR 730.12(b) has been approved by the U.S. General Accounting Office under number B-190462 (RO591).

The reporting requirements contained in 30 CFR 731.12(a), 731.13 and 731.14 have been approved by the U.S. General Accounting Office under number B-190462 (RO592).

The reporting requirements contained in 30 CFR 732.11(d), 732.13(f), 732.14, 732.16(a), 732.17(b), 732.17(f), 732.17(g), and recordkeeping requirement contained in 30 CFR 732.16(b) have been approved by the U.S. General Accounting Office under number B-190462 (RO593).

The reporting requirements contained in 30 CFR 733.12(a)(2) has been approved by the U.S. General Accounting Office under number B-190462 (RO594).

The reporting requirements contained in 30 CFR 741.11(c)(1), 741.12(c), 741.13(c), 741.15(a)(1), 741.15(b)(1), 741.21(b), 741.24(c), and 741.25(b) have been approved by the U.S. General Accounting Office under number B-190462 (RO595).

The reporting requirements contained in 30 CFR 742.11(a), 742.13(a), 742.18(c), and 742.18(d) have been approved by the U.S. General Accounting Office under number B-190462 (RO596).

The reporting requirements contained in 30 CFR 745.11 (a) and (b) have been approved by the U.S. General Accounting Office under number B-190462 (RO598).

The reporting requirements contained in 30 CFR 761.12(b)(2), 761.12(e), 761.12(f), and the recordkeeping requirement contained in 30 CFR 761.12(d) have been approved by the U.S. General Accounting Office under number B-190462 (RO599).

The reporting requirements contained in 30 CFR 764.13(b), 764.13(c), 764.19(b), and the recordkeeping requirements contained in 30 CFR 764.15(d), 764.21, and 764.25(b) have been approved by the U.S. General Accounting Office under number B-190462 (RO600).

The reporting requirements contained in 30 CFR 769.11 and 769.13 have been approved by the U.S. General Accounting Office under number B-190462 (RO601).

The reporting requirements contained in 30 CFR 771.15(c), 771.21(a)(1), 771.21(b)(2), 771.21(b)(3), and 771.23 have been approved by the U.S. General Accounting Office under number B-190462 (RO602).

The reporting requirements contained in 30 CFR 776.11 and 776.12 have been approved by the U.S. General Accounting Office under number B-190462 (RO603).

The reporting requirements contained in 30 CFR 778.13, 778.14, 778.15, 778.16, 778.17, 778.18, 778.19, 778.20, and 778.21 have been approved by the U.S. General Accounting Office under number B-190462 (RO604).

The reporting requirements contained in 30 CFR 779.11, 779.12, 779.13, 779.14, 779.15, 779.16, 779.17, 779.18, 779.19, 779.20, 779.24, 779.25, and 779.27 have been approved by the U.S. General Accounting Office under number B-190462 (RO605).

The reporting requirements contained in 30 CFR 780.11, 780.12, 780.13, 780.14, 780.15, 780.16, 780.18, 780.21, 780.23, 780.25, 780.27, 780.29, 780.31, 780.33, 780.35, and 780.37 have been approved by the U.S. General Accounting Office under number B-190462 (RO606).

The reporting requirements contained in 30 CFR 782.13, 782.14, 782.15, 782.16, 782.17, 782.18, 782.19, 782.20, and 782.21 have been approved by the U.S. General Accounting Office under number B-190462 (RO607).

The reporting requirements contained in 30 CFR 783.11, 783.12, 783.13, 783.14, 783.15, 783.16, 783.17, 783.18, 783.19, 783.20, 783.21, 783.22, 783.24, 783.25, and 783.27 have been approved by the U.S. General Accounting Office under number B-190462 (RO608).

The reporting requirements contained in 30 CFR 784.11, 784.12, 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 780.22, 784.23, 784.24, and 784.25 have been approved by the U.S. General Accounting Office under number B-190462 (RO609).

The reporting and recordkeeping requirements contained in 30 CFR 785.13 (e), (f), (g), and (h); 785.14; 785.15; 785.16; 785.17(b) (1), (2), (4), (6), and (8); 785.18(c); 785.19; 785.20; 785.21; and 785.22 have been approved by the U.S. General Accounting Office under number B-190462 (RO610).

The reporting and recordkeeping requirements contained in 30 CFR 786.11 (a), (b), (c), and (d); 786.14(b); 786.15; 786.17(c); 786.19; and 786.23 (c) and (d) have been approved by the U.S. General Accounting Office under number B-190462 (RO611).

The reporting requirements contained in 30 CFR 788.12, 788.14, 788.18, and 788.19, and the recordkeeping requirements contained in 30 CFR 788.11 and 788.16 have been approved by the U.S. General Accounting Office under number B-190462 (RO612).

The reporting requirements contained in 30 CFR 800.11 and 800.12 have been approved by the U.S. General Accounting Office under number B-190462 (RO613).

The reporting requirement contained in 30 CFR 806.11(b) has been approved by the U.S. General Accounting Office under number B-190462 (RO615).

The reporting requirement contained in 30 CFR 807.11(e)(4) has been approved by the U.S. General Accounting Office under number B-190462 (RO616).

The reporting and recordkeeping requirements contained in 30 CFR Part 816, subsections 46(c)(4), 46(r), 46(t), 49(h), 52(a)(3), 52(b)(1)(iii), 53(a), 62, 64, 65(a)(2)(iii), 67, 68, 71(j), 82(a)(4), 82(b), 87, 91(b), 117(b)(4), 117(c) (1) and (3), 131(b), 133(c) (1) through (4), 133(c) (8) and (9), 150(d)(1), 152(d)(13), 160(d)(1), and 163(d) have been approved by the U.S. General Accounting Office under number B-190462 (RO618).

The reporting and recordkeeping requirements contained in 30 CFR Part 817, subsections 46(c)(4), 46(r), 46(t), 49(h), 52(a)(3), 52(b)(1)(iii), 53(a), 62, 65(b)(2)(iii), 67, 68, 71(j), 82(a)(4), 82(b), 87, 91(b), 117(b)(4), 117(c) (1) and (3), 131(b), 133(c) (1) through (4), 133(c) (8) and (9), 150(d)(1), 152(d)(13), 160(d)(1), and 163(d) have been approved by the U.S. General Accounting Office under number B-190462 (RO619).

The recordkeeping requirements contained in 30 CFR 822.14 (a) and (d) have been approved by the U.S. General Accounting Office under number B-190462 (RO620).

The reporting requirement contained in 30 CFR 826.12(b) has been approved by the U.S. General Accounting Office under number B-190462 (RO621).

The reporting requirements contained in 30 CFR 840.11(d)(3), 840.14(a), and 840.14(b) have been approved by the U.S. General Accounting Office under number B-190462 (RO622).

The reporting requirement contained in 30 CFR 843.16 has been approved by the U.S. General Accounting Office under number B-190462 (RO624).

The recordkeeping requirement contained in 30 CFR 845.18(c) has been approved by the U.S. General Accounting Office under number B-190462 (RO625).

Because OSM did not have the experience in fullfilling these recordkeeping and reporting requirements, estimating accurately the compliance burden estimates was very difficult. Therefore we are requesting that respondents inform OSM, no later than November 30, 1980, as to how long it took to comply with reporting requirements listed in this clearance notice. This will give OSM an opportunity to reevaluate its burden estimates and revise estimates where necessary.

The following sections may impose reporting requirements which duplicate information already submitted by respondents to other Federal or State agencies:

779.27, 780.14, 780.15, 780.25, 782, 783.25, 784.16, 784.23, 784.26, 816.46, 816.49, 816.81, 816.85, 816.86, 816.91-93, 817.46, 817.49, 817.81, 817.85, 817.91-93, 822.14(a), 822.14(d).

Where these sections, or any other sections, impose reporting requirements which duplicate any information that is required to be submitted to another Federal or a State agency, any person may comply with these regulations by submitting to the appropriate regulatory authority, in lieu of preparing new reports, one copy of such duplicate report. Information which is submitted as duplicative must be identical to the information required by these regulations in all substantive respects including, but not limited to, timeliness and detail of data, time span of data, geographic area, qualification of the preparer and other professional certification, specific maps, time tables, and plans, measurements or monitoring devices, design and construction specifications, required demonstrations and methods of notice.

During GAO's review, commenters and GAO staff identified, and OSM confirmed that the sections below require either reporting or recordkeeping but had not been previously submitted for GAO clearance:

30 CFR 776.13(b)
30 CFR 776.17(b)
30 CFR 779.21
30 CFR 779.22
30 CFR 784.26
30 CFR 785.17(b)(3)
30 CFR 785.17(b)(5)
30 CFR 785.17(b)(7)
30 CFR 786.15(a)(3)
30 CFR 786.25(b)(2)
30 CFR 786.25(b)(4)
30 CFR 807.11(d)
30 CFR 807.11(h)(ii)
30 CFR 816.49(i)
30 CFR 816.52(a)
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30 CFR 816.95
30 CFR 816.116
30 CFR 817.49(i)
30 CFR 817.52(a)
30 CFR 817.52(b)(1)(ii)
30 CFR 817.95
30 CFR 817.116
30 CFR 843.14(c)

OSM will be submitting these sections to GAO during the week of June 4, 1979. These sections will not be effective until they have been cleared by GAO under the Federal Reports Act.

To determine what water quality and quantity information the Federal Government or organizations have collected and can make available to the public, you can contact:

National Water Data Exchange, Program Office (NAWDEX), U.S. Geological Survey, 421 National Center, Reston, Va. 22092, 703-860-6031.

Dated: June 8, 1979.

Walter N. Heine,

Director, Office of Surface Mining Reclamation and Enforcement.

[FR Doc. 79-18912 Filed 6-15-79; 8:45 am]

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/COAST GUARD	USDA/ASCS		DOT/COAST GUARD	USDA/ASCS
DOT/NHTSA	USDA/APHIS		DOT/NHTSA	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/OHMO	USDA/FSQS		DOT/OHMO	USDA/FSQS
DOT/OPSO	USDA/REA		DOT/OPSO	USDA/REA
DOT/UMTA*	MSPB/OPM		DOT/UMTA*	MSPB/OPM
DOT/FRA*	LABOR		DOT/FRA*	LABOR
CSA	HEW/FDA		CSA	HEW/FDA

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

***NOTE: As of June 14, 1979, the Urban Mass Transportation Administration and Federal Railroad Administration, Department of Transportation, will publish on the Monday/Thursday schedule.**

REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.

Rules Going Into Effect Today

FEDERAL COMMUNICATIONS COMMISSION

27994 5-14-79 / Private land mobile radio service; simplification of certain procedures for filing applications

List of Public Laws

Last Listing June 15, 1979

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the Federal Register but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202-375-3030).

S. 7 / Pub. L. 96-22 "Veterans' Health Care Amendments of 1979". (June 13, 1979; 93 Stat. 47) Price $1.10.

S. 709 / Pub. L. 96-23 To authorize appropriations for the Coast Guard for fiscal years 1980 and 1981, and for other purposes. (June 13, 1979; 93 Stat. 68) Price $.60.